

AMENDED IN ASSEMBLY APRIL 21, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 171

Introduced by Assembly Member Yee

January 20, 2005

An act to add Chapter 6.4 (commencing with Section 52059.1) to Part 28 of the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

AB 171, as amended, Yee. Pupils.

Existing law establishes various educational programs for pupils in elementary, middle, and high school to be administered by the State Department of Education.

This bill would establish the Comprehensive Pupil Learning Support System to ensure that each pupil will be a productive and responsible learner and citizen. The bill would require the State Department of Education to administer and implement the program through existing resources that are available to the department for the purposes of the program. The bill would require the department to adopt regulations to implement the program.

The bill would ~~authorize~~ *require* each elementary, middle, and high school to develop ~~a school action~~ *an individual schoolsite* plan, as specified, based on guidelines to be developed by the State Department of Education. The bill would require each ~~school action~~ *individual schoolsite* plan to, among other things, enhance the capacity of each school to handle transition concerns confronting pupils and their families, enhance home involvement, provide special assistance to pupils and families, and incorporate outreach efforts to the community.

By requiring public schools to perform additional duties, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature hereby finds and declares all of
- 2 the following:
- 3 (a) The UCLA Center for Mental Health in Schools, the
- 4 WestEd Regional Educational Laboratory, the State Department
- 5 of Education, and other educational entities have adopted the
- 6 concept of learning support within ongoing efforts to address
- 7 barriers to pupil learning and to enhance healthy development.
- 8 (b) Learning supports are the resources, strategies, and
- 9 practices that provide physical, social, emotional, and intellectual
- 10 supports intended to enable all pupils to have an equal
- 11 opportunity for success at school. To accomplish this goal, a
- 12 comprehensive, multifaceted, and cohesive learning support
- 13 system should be integrated with instructional efforts and
- 14 interventions provided in classrooms and schoolwide to address
- 15 barriers to learning and teaching.
- 16 (c) There is a growing consensus among researchers,
- 17 policymakers, and practitioners that stronger collaborative efforts
- 18 by families, schools, and communities are essential to pupil
- 19 success.
- 20 (d) An increasing number of American children live in
- 21 communities where caring relationships, support resources, and a
- 22 profamily system of education and human services do not exist to
- 23 protect children and prepare them to be healthy, successful,
- 24 resilient learners.

1 (e) Especially in those communities, a renewed partnership of
2 schools, families, and community members must be created to
3 design and carry out system improvements to provide the
4 learning support required by each pupil in order to succeed.

5 (f) Learning support is the collection of resources, strategies
6 and practices, and environmental and cultural factors extending
7 beyond the regular classroom curriculum that together provide
8 the physical, emotional, and intellectual support that every pupil
9 needs to achieve high-quality learning.

10 (g) A school that has an exemplary learning support system
11 employs internal and external supports and services needed to
12 help pupils become good parents, good neighbors, good workers,
13 and good citizens of the world.

14 (h) The overriding philosophy is that educational success,
15 physical health, emotional support, and family and community
16 strength are inseparable.

17 (i) To implement the concept of learning supports, the state
18 must systematically realign and redefine *new and* existing
19 resources into a comprehensive system that is designed to
20 strengthen pupils, schools, families, and communities rather than
21 continuing to respond to these issues in a piecemeal and
22 fragmented manner.

23 (j) Development of learning supports at every school is
24 essential in meeting the needs arising from the federal No Child
25 Left Behind Act of 2001 and the Individuals with Disabilities
26 Education Act, (*IDEA*). *This includes the enhancement of*
27 *academic performance and the reduction of pupil absences,*
28 *behavior problems, inappropriate referrals for special education,*
29 *and the number of pupils dropping out of schools.* The state
30 needs to ensure that each pupil is able to read, write, and relate
31 effectively, has self-worth, has meaning-based learning
32 opportunities, and has positive support networks from their peers,
33 teachers, pupil support professionals, family members, and other
34 school and community stakeholders.

35 (k) It is essential that each pupil becomes literate, confident,
36 caring, and capable of thinking critically, solving problems,
37 communicating effectively, and functioning as a contributing
38 member of society.

39 (l) The education climate in the public schools of the state, as
40 measured by overcrowded schools, absenteeism, increasing

1 substance and alcohol abuse, school violence, sporadic parental
2 involvement, dropouts, and other indicators, suggest that the state
3 is in immediate need of learning supports.

4 (m) A learning support system needs to be developed at every
5 school to ensure that pupils have essential support for learning,
6 from kindergarten to high school.

7 (n) A learning support system should encompass school-based
8 and school-linked activities designed to enable teachers to teach
9 and pupils to learn. It should include a continuum of
10 interventions that promote learning and development, prevent
11 and respond early after the onset of problems, and provide
12 correctional, and remedial programs and services. In the
13 aggregate, a learning support system should create a supportive
14 and respectful learning environment at each school.

15 (o) A learning support system is a primary and essential
16 component at every school, designed to support learning and
17 provide each pupil with an equal opportunity to succeed at
18 school. The learning support system should be fully integrated
19 into all school improvement efforts.

20 (p) The State Department of Education, other state agencies,
21 local school districts, and local communities all devote resources
22 to addressing learning barriers and promoting healthy
23 development. Too often these resources are deployed in a
24 fragmented, duplicative, categorical manner that results in misuse
25 of sparse resources and failure to reach all the pupils and families
26 in need of support. A learning support system will provide a
27 unifying concept and context for linking with other organizations
28 and agencies as needed and can be a focal point for braiding
29 school and community resources into a comprehensive,
30 multifaceted, and cohesive component at every school.

31 (q) It is the intent of the Legislature that the Comprehensive
32 Pupil Learning Support System (CPLSS) is fully integrated with
33 other efforts to improve instruction and focuses on maximizing
34 the use of resources at individual schools and at the district level.
35 Collaborative arrangements with community resources shall be
36 developed with a view to filling any gaps in CPLSS components.

37 SEC. 2. Chapter 6.4 (commencing with Section 52059.1) is
38 added to Part 28 of the Education Code, to read:

CHAPTER 6.4.

COMPREHENSIVE PUPIL LEARNING SUPPORT SYSTEM

52059.1. (a) There is hereby established the Comprehensive Pupil Learning Support System (CPLSS).—~~The~~ *When fully implemented, the* CPLSS shall be ~~implemented~~ *conducted* with existing personnel and program resources, without the need for additional or new appropriations.

(b) It is the intent of the Legislature in establishing the CPLSS to provide pupils with a support system to ensure that they will be productive and responsible learners and citizens. It is further the intent of the Legislature that the CPLSS ensure that pupils have an equal opportunity to succeed at school and to do so in a supportive, caring, respectful, and safe learning environment.

(c) It is the intent of the Legislature that these goals be accomplished by involving pupils, teachers, pupil support professionals, family members, and other school and community stakeholders in the development, daily implementation, monitoring, and maintenance of a learning support system at every school and by braiding together the human and financial resources of relevant public and private agencies.

52059.2. The department, *in collaboration with participating school districts, knowledgeable stakeholders, experts from institutions of higher education, and communities*, shall facilitate the establishment of the CPLSS by doing all of the following:

(a) Developing ~~standards~~ *guidelines* and strategic procedures to ~~guide~~ *assist* the establishment of the CPLSS component at each school.

(b) Providing ongoing technical assistance, leadership training, and other capacity building supports.

(c) Rethinking the roles of pupil services personnel and other support staff for pupils and integrating their responsibilities into the educational program in a manner that meets the needs of pupils, teachers, and other educators.

(d) Detailing procedures for establishing infrastructure mechanisms between schools and school districts.

(e) Coordinating with other state, *local, and community* agencies that can play a role in strengthening the CPLSS.

(f) Ensuring that the CPLSS is integrated within the organization of *participating schools, school districts, and the*

1 department in a manner that reflects the ~~school-action~~ *individual*
2 *schoolsite* plans developed by schools pursuant to subdivision (a)
3 of Section 52059.3.

4 (g) Enhancing collaboration with state *and local* agencies and
5 other relevant resources to facilitate local collaboration and
6 braiding of resources.

7 (h) Including an assessment of the CPLSS in all future school
8 reviews and accountability reports.

9 52059.3. (a) Each elementary, middle, and high school ~~may~~
10 ~~develop a CPLSS component by developing a school action plan~~
11 *shall develop a comprehensive component for addressing*
12 *barriers to learning and teaching as part of its individual*
13 *schoolsite plan, based on the identified needs and resources of*
14 *the school, using* ~~based on~~ the guidelines developed by the
15 department pursuant to Section 52059.2.

16 (b) Each ~~school-action~~ *individual schoolsite* plan shall be
17 developed with the purpose of doing all of the following:

18 (1) Enhance the capacity of teachers to address problems,
19 engage and re-engage pupils in classroom learning, and foster
20 social, emotional, intellectual, and behavioral development. The
21 component of the ~~school-action~~ *individual schoolsite* plan
22 required by this paragraph shall emphasize ensuring that teacher
23 training and assistance includes strategies for better addressing
24 learning, behavior, and emotional problems within the context of
25 the classroom. Interventions may include, but not be limited to,
26 all of the following:

27 (A) Addressing a greater range of pupil problems within the
28 classroom through an increased emphasis on strategies for
29 positive social and emotional development, problem prevention,
30 and accommodation of differences in the motivation and
31 capabilities of pupils.

32 (B) Classroom management that emphasizes re-engagement of
33 pupils in classroom learning and minimizes over-reliance on
34 social control strategies.

35 (C) Collaboration with pupil support staff and the home in
36 providing additional assistance to foster enhanced responsibility,
37 problem solving, resilience, and effective engagement in
38 classroom learning.

39 (2) Enhance the capacity of schools to handle transition
40 concerns confronting pupils and their families. The component of

1 the ~~school action~~ *individual schoolsite* plan required by this
2 paragraph shall emphasize ensuring that systems and programs
3 are established to provide supports for the many transitions
4 pupils, their families, and school staff encounter. Interventions
5 may include, but are not limited to, all of the following:

- 6 (A) Welcoming and social support programs for newcomers.
- 7 (B) Before, during, and afterschool programs to enrich
8 learning and provide safe recreation.
- 9 (C) Articulation programs to support grade transitions.
- 10 (D) Addressing transition concerns related to vulnerable
11 populations, including, but not limited to, those in homeless
12 education, migrant education, and special education programs.
- 13 (E) Vocational and college counseling and school-to-career
14 programs.
- 15 (F) Support in moving to postschool living and work.
- 16 (G) Outreach programs to re-engage truants and dropouts in
17 learning.

18 (3) Respond to, minimize the impact of, and prevent crisis.
19 The component of the ~~school action~~ *individual schoolsite* plan
20 required by this paragraph shall emphasize ensuring that systems
21 and programs are established for emergency, crisis, and followup
22 responses and for preventing crises at a school and throughout a
23 complex of schools. Interventions may include, but are not
24 limited to, all of the following:

- 25 (A) Establishment of a crisis team to ensure immediate
26 response when emergencies arise, and to provide aftermath
27 assistance as necessary and appropriate so that pupils are not
28 unduly delayed in re-engaging in learning.
- 29 (B) Schoolwide and school-linked prevention programs to
30 enhance safety at school and to reduce violence, bullying,
31 harassment, abuse, and other threats to safety in order to ensure a
32 supportive and productive learning environment.
- 33 (C) Classroom curriculum approaches focused on preventing
34 crisis events, including, but not limited to, violence, suicide, and
35 physical or sexual abuse.

36 (4) Enhance home involvement. The component of the ~~school~~
37 ~~action~~ *individual schoolsite* plan required by this paragraph shall
38 emphasize ensuring there are systems, programs, and contexts
39 established that lead to greater involvement to support the
40 progress of pupils with learning, behavior, and emotional

1 problems. Interventions may include, but are not limited to, all of
2 the following:

3 (A) Interventions that address specific needs of the caretakers
4 of a pupil, including, but not limited to, providing ways for them
5 to enhance literacy and job skills and meet their basic obligations
6 to the children in their care.

7 (B) Interventions for outreaching and re-engaging homes that
8 have disengaged from school involvement.

9 (C) Improved systems for communication and connection
10 between home and school.

11 (D) Improved systems for home involvement in decisions and
12 problem solving affecting the pupil.

13 (E) Enhanced strategies for engaging the home in supporting
14 the basic learning and development of their children to prevent or
15 at least minimize learning, behavior, and emotional problems.

16 (5) Outreach to the community in order to build linkages. The
17 component of the ~~school-action~~ *individual schoolsite* plan
18 required by this paragraph shall emphasize ensuring that there are
19 systems and programs established to provide outreach to and
20 engage strategically with public and private community resources
21 to support learning at school of pupils with learning, behavior,
22 and emotional problems. Interventions may include, but are not
23 limited to, all of the following:

24 (A) Training, screening, and maintaining volunteers and
25 mentors to assist school staff in enhancing pupil motivation and
26 capability for school learning.

27 (B) Job shadowing and service learning programs to enhance
28 the expectations of pupils for postgraduation opportunities.

29 (C) Enhancing limited school resources through linkages with
30 community resources, including, but not limited to, libraries,
31 recreational facilities, and postsecondary education institutions.

32 (D) Enhancing community and school connections to heighten
33 a sense of community.

34 (6) Provide special assistance for pupils and families as
35 necessary. The component of the ~~school-action~~ *individual*
36 *schoolsite* plan required by this paragraph shall ensure that there
37 are systems and programs established to provide or connect with
38 direct services when necessary to address barriers to the learning
39 of pupils at school. Interventions may include, but are not limited
40 to, all of the following:

1 (A) Special assistance for teachers in addressing the problems
2 of specific individuals.

3 (B) Processing requests and referrals for special assistance,
4 including, but not limited to, counseling or special education.

5 (C) Ensuring effective case and resource management when
6 pupils are receiving direct services.

7 (D) Connecting with community service providers to fill gaps
8 in school services and enhance access for referrals.

9 (c) The development, implementation, monitoring, and
10 maintenance of the ~~school action~~ *individual schoolsite* plan shall
11 include, but not be limited to, all of the following components:

12 (1) Ensuring effective school mechanisms for assisting
13 individuals and families with family decisionmaking and timely,
14 coordinated, and monitored referrals to school and community
15 services when indicated. *The mechanisms shall draw on the*
16 *expertise of pupil support service personnel at schools such as*
17 *nurses, psychologists, counselors, social workers, speech and*
18 *language pathologists, resource specialists, special education*
19 *teachers, and child welfare attendance workers.*

20 (2) A mechanism for an administrative leader, support staff for
21 pupils, and other stakeholders to work collaboratively at each
22 school with a focus on strengthening the ~~school action~~ *individual*
23 *schoolsite* plan.

24 (3) A plan for capacity building and regular support for all
25 stakeholders involved in addressing barriers to learning and
26 promoting healthy development.

27 ~~(4) Compliance with the guidelines developed by the~~
28 ~~department pursuant to Section 52059.2.~~

29 *(4) Training and technical assistance, and accountability*
30 *reviews as necessary.*

31 ~~(5) Accountability reviews.~~

32 ~~(6)~~

33 (5) Minimizing duplication and fragmentation between school
34 programs.

35 ~~(7)~~

36 (6) Preventing problems and providing a safety net of early
37 intervention.

38 ~~(8)~~

39 (7) Responding to pupil and staff problems in a timely
40 manner.

1 ~~(9)~~
2 (8) Connecting with a wide range of school and community
3 stakeholder resources.

4 ~~(10)~~
5 (9) Recognizing and responding to the changing needs of all
6 pupils while promoting the success and well-being of each pupil
7 and staff member.

8 ~~(11)~~
9 (10) Creating a supportive, caring, respectful, and safe
10 learning environment.

11 ~~52059.4. Each school with a CPLSS school action plan shall~~
12 ~~integrate the CPLSS school action plan with other school safety~~
13 ~~plans, school improvement plans, or other programs to improve~~
14 ~~instruction, and focus on maximizing its use of available~~
15 ~~resources at the individual school level and the school district~~
16 ~~level in order to implement this program. The school action plan~~

17 ~~52059.4. CPLSS individual schoolsite plans shall do all of the~~
18 ~~following:~~

19 ~~(a) Be an essential component of all school improvement~~
20 ~~planning.~~

21 ~~(b) Be fully integrated with plans to improve instruction.~~

22 ~~(c) Focus on maximizing use of available resources at the~~
23 ~~school, school complex, and school district levels.~~

24 ~~(d) Reflect all of the following:~~

25 shall reflect all of the following:

26 ~~(a)~~
27 (1) School policies, goals, guidelines, priorities, activities,
28 procedures, and outcomes relating to implementing the CPLSS.

29 ~~(b)~~
30 (2) Effective leadership and staff roles and functions for the
31 CPLSS.

32 ~~(c)~~
33 (3) A thorough infrastructure for the CPLSS.

34 ~~(d)~~
35 (4) Appropriate resource allocation.

36 ~~(e)~~
37 (5) Integrated school/community collaboration.

38 ~~(f)~~
39 (6) Regular capacity building activity.

40 ~~(g)~~

(7) Delineated standards, quality and accountability indicators, and data collection procedures.

52059.5. (a) For the purposes of this section, “complex of schools” means a group of elementary, middle, or high schools associated with each other due to the natural progression of attendance linking the schools.

(b) To ensure that the CPLSS is developed cohesively, efficiently uses community resources, and capitalizes on economies of scale, CPLSS infrastructure mechanisms shall be established at the school and district level.

(c) Complexes of schools are encouraged to designate a pupil support staff member to facilitate a family complex CPLSS team consisting of representatives from each participating school.

(d) Each school district implementing a CPLSS shall establish mechanisms designed to build the capacity of CPLSS components at each participating school, including, but not limited to, providing technical assistance and training for the establishment of effective CPLSS components.

52059.6.(a) ~~The~~ *An independent agency selected by the* department shall evaluate the success of the CPLSS component according to the following criteria:

(1) Improved systems for promoting prosocial pupil behavior and the well-being of staff and pupils, preventing problems, intervening early after problems arise, and providing specialized assistance to pupils and families.

(2) Increasingly supportive, caring, respectful, and safe learning environments at schools.

(3) Enhanced collaboration between the school and community.

(4) The integration of the CPLSS component with all other school improvement plans.

(5) Fewer inappropriate referrals of pupils to special education programs or other special services.

~~(b) The department shall consider all of the following in evaluating the success of the CPLSS component:~~

(b) The evaluation shall consider all of the following items in determining the impact of the CPLSS, and the findings related to each item shall be included in the School Accountability Report Card, pursuant to Section 33126:

(1) Pupil attendance.

- 1 (2) Pupil grades.
- 2 (3) Academic performance.
- 3 (4) Pupil behavior.
- 4 (5) Home involvement.
- 5 (6) Teacher retention.
- 6 (7) Graduation rates *and grade promotion*.
- 7 (8) Literacy development.
- 8 (9) Other indicators required by the federal No Child Left
- 9 Behind Act of 2001 (20 U.S.C. Sec. 6301 et. seq.) and included
- 10 in the California Healthy Kids Survey.

11 *(c) The evaluation shall be designed to separate findings in*
12 *order to determine the impact for different populations and to*
13 *contrast schools at different stages of development with respect*
14 *to their CPLSS.*

15 *(d) The department shall develop a phase-in and sustainability*
16 *plan pursuant to this act. Phase 1 shall involve the initiating the*
17 *development of a CPLSS in five volunteer school districts across*
18 *the state during the 2006–07 school year. During Phase 2, the*
19 *department shall develop a scale-up plan to phase in a CPLSS in*
20 *all other school districts across the state over a 10-year period.*

21 SEC. 3. A local educational agency may use funds made
22 available pursuant to Title I of the No Child Left Behind Act of
23 2001 (20 U.S.C. Sec. 6301 et seq.), to the extent allowable for
24 the purposes of implementing this act, if approved by a schoolsite
25 council.

26 SEC. 4. *The Legislature finds and declares all of the*
27 *following:*

28 *(a) Implementation of Phases 1 and 2, including*
29 *administrative and capacity building costs for systemic changes*
30 *and initial implementation, will require additional funding of one*
31 *hundred thousand dollars (\$100,000) for each schoolsite for*
32 *each of the two years.*

33 *(b) Implementation will not require additional funding for*
34 *each of the eight ensuing years in which the CPLSS is developed*
35 *at every school in the state.*

36 *(c) Ongoing and summative cost-effectiveness evaluation of*
37 *the degree to which the CPLSS enables schools to address*
38 *barriers to learning and teaching will cost one million dollars*
39 *(\$1,000,000) over the 10-year period.*

1 *SEC. 5. If the Commission on State Mandates determines that*
2 *this act contains costs mandated by the state, reimbursement to*
3 *local agencies and school districts for those costs shall be made*
4 *pursuant to Part 7 (commencing with Section 17500) of Division*
5 *4 of Title 2 of the Government Code.*

O